

MEMO ENDORSED

C. H. J.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
FEDNAV INTERNATIONAL LTD.,

Plaintiff,

- against -

SUNWOO MERCHANT MARINE CO. LTD.,

Defendant.
-----X

:
: 07 Civ. 3886 (DC)

:
: **ORDER ON CONSENT**
: **RESPECTING SECURITY**
: **AND COUNTERSECURITY**

WHEREAS this action was commenced by plaintiff, Fednav International Ltd.
("Plaintiff") filing a complaint seeking process of maritime attachment and garnishment
pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime
Claims of the Federal Rules of Civil Procedure ("Supplemental Rules") respecting a
claim arising out of a charter party in the amount of \$1,605,367 including interest and
costs, against defendant, Sunwoo Merchant Marine Co. Ltd. ("Defendant") and an order
for attachment was issued;

AND WHEREAS Defendant has filed an Answer and Counterclaim seeking
countersecurity for a counterclaim arising out of the same charter party in the amount of

\$414,438.79 including interest and costs under Rule E7 of the Supplemental Rules and the Court has now ordered Plaintiff to post countersecurity in this amount;

AND WHEREAS the underlying disputes are subject to arbitration in London;

AND WHEREAS various funds of Defendant have been attached and are now being held in the amount of \$1,605,367 by the following garnishees (the "Security"):

Citibank N.A.

5/23/07	\$ 198,017.50
5/23/07	3,666.75
5/23/07	19,727.00
5/23/07	580.00
5/23/07	536.00
5/23/07	34,420.00
5/25/07	26,980.00
5/25/07	232,850.00
5/25/07	413,231.66
5/25/07	100,176.17
5/25/07	5,123.08
5/25/07	111.04
5/25/07	3,980.00
5/25/07	28,107.00
5/29/07	310,976.03
	<u>\$1,378,182.23</u>

Deutsche Bank

\$91,897.38

Bank of New York

\$72,116.15

JPMorgan Chase

\$63,069.24;

AND WHEREAS Plaintiff has agreed to provide cash countersecurity to Defendant in the amount of \$414,438.79 (the "Countersecurity") which is to be held in an interest-bearing escrow account in London;

AND WHEREAS the parties now seek to have the Security transferred to London where it and the Countersecurity are to be held in an interest-bearing escrow accounts pursuant to an escrow agreement entered into between the parties on or about November 8, 2007 (the "Escrow Agreement");

IT IS HEREBY ORDERED AS FOLLOWS:

1. The various garnishee banks holding the above listed attached amounts shall immediately, at the latest within 7 banking days of receipt of this order, arrange to transfer said attached funds to the following Clyde & Co. LLP U.S. Dollar Client Account in London for said funds to be held as security for Plaintiff's claim in arbitration pursuant to the Escrow Agreement, as follows:

National Westminster Bank
City of London Office
PO Box 12258
1 Princes Street
London, EC2R 8PA

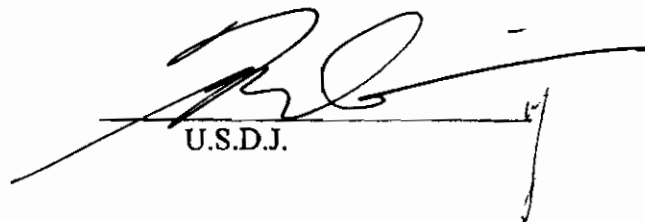
Sort Code: 60-00-01
US DOLLAR IBAN: GB11NWBK60730100728764
BIC No.: NWBKGB2102N
REF: DRL/NG/0704011 – "BRIGHT BULKER"

2. Plaintiff shall transfer \$414,438.79 to the above mentioned account within 7 banking days of receipt of this order which amount is to be held as countersecurity for Defendant's counterclaim in arbitration pursuant to the Escrow Agreement.

3. The Order of Attachment is vacated.

4. When the Security has been transferred to London and Countersecurity is established there, the parties will submit an order on consent dismissing the action and counterclaim without prejudice and without costs and no further attachments shall be sought by either party prior to the issuance of a final award.

Dated: New York, New York
November 14, 2007



U.S.D.J.

We consent to entry of the foregoing Order:

By: Jeremy Harwood by AP per attorney

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